



LEVY COUNTY BOARD OF COUNTY COMMISSIONERS COMMISSIONERS
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February 13, 2024

James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 E. Madison Street
Tallahassee, FL 32399

RE: Amendment No. 23-01ER (Levy County Ord. No. 2023-10)

Dear Mr. Stansbury,

The Levy County Board of County Commissioners (BoCC) reviewed the Objections, Recommendations, and Comments Report from December 18, 2023. Please find below, and in attachments, Levy County's response to the Department of Commerce's three objections and one comment.

Objection 1 (Comprehensive Plan Update): The proposed amendment does not update the County's Comprehensive Plan to comply with statutory requirements relating to the County's planning period, does not establish coordination of and consistency between the elements, and is not based on relevant and appropriate data and analysis.

The County submitted the Notice of Intent to Amend the County's Comprehensive Plan on December 5, 2022. Staff began to do edits, meet with departments, and take a holistic review of the entire plan. As staff reviewed the plan, realizing the sunset date would be in 2026, staff decided to tackle the legislative requirements of the EAR and update some other areas of the plan that were necessary moving forward with updated land development code sections. The legislation Florida Commerce refers to did not become effective until July of 2023, two months before public hearings with the Planning Commission and Board of County Commissioners. Knowing a re-write was around the corner with the Sunset date approaching, we determined we would be re-analyzing data and analysis and bringing the entire Levy County Comprehensive Plan into compliance with our recently updated land development code. Since we had already initiated our EAR review, we made the determination we would incorporate July 2023 legislative updates in the 2026 re-write. We will begin this re-write starting in 2024 for a new 2035 and 2045 or 2050 planning periods consistent with the requirements of section 163.3177(1)(f), F.S.

Objection 2 (Shoreline Land Use): The Proposed Amendment deletes currently adopted Coastal Management Element policies 9-5 through 9-20 that establish guidelines and standards for the location and development of marinas and commercial sport fishery facilities.

As the County has embarked on a 14 month re-evaluation and reorganization of the County land development code, during that exercise staff reviewed data and GIS analysis of our coast line and determined that marinas and commercial sport fisheries would not be able to locate anywhere on the shore in Levy County with all our marine habitats, extensive aquaculture habitat, environmentally sensitive lands and manatee locations along our coast and riverine areas of Levy County. Furthermore, nearly all of our coastal areas outside of the municipalities have a zoning and future land use of Conservation-Natural Resource and the Florida Fish and Wildlife Commission recognizes these areas as seagrass habitat, an important food source for our manatees. Additionally, the County offers no services in those areas of the County. These uses are better suited for the coastal municipalities that offer services the County does not. Please see the attached, detailed map titled *Levy County Coastal Management Element: Shoreline Land Use* for those above mentioned habitats and environmentally sensitive lands.

Objection 3 (Manatee Protection): The proposed amendment deletes currently adopted Coastal Management Element policies 9-17 and 9-18 that establish guidelines and standards for the protection of manatees.

Please see Objection 2 for main response. In addition, the deleted manatee policies specifically relate to manatees interaction within and near marinas and sport fisheries. So those policies are not needed since we removed marinas and sport fisheries from our plan.

Comment (Floating Solar Facilities): The County should consider revising the Future Land Use Element to identify the future land use categories, based upon relevant and appropriate data and analysis, that the appropriate for the location of floating solar facilities pursuant to Section 163.32051, Florida Statutes.

As this was additional legislation effective July 2023 staff decided to address this at our comprehensive plan re-write for our new planning periods. Based on Section 163.32051 staff does not believe we have any appropriate areas for these floating solar facilities however, we will look further at the issue.

From the transmittal stage to the adoption phase changes were made to the Land Development Code, specifically to the Public and Institutional Facilities. The only other change we made was on page seven of the Future Land Use Element with the double-strikethrough related to the Public and Institutional Facility minimums. Those belong in the Land Development Code and we will update the other land use categories when we do the Comprehensive Plan re-write.

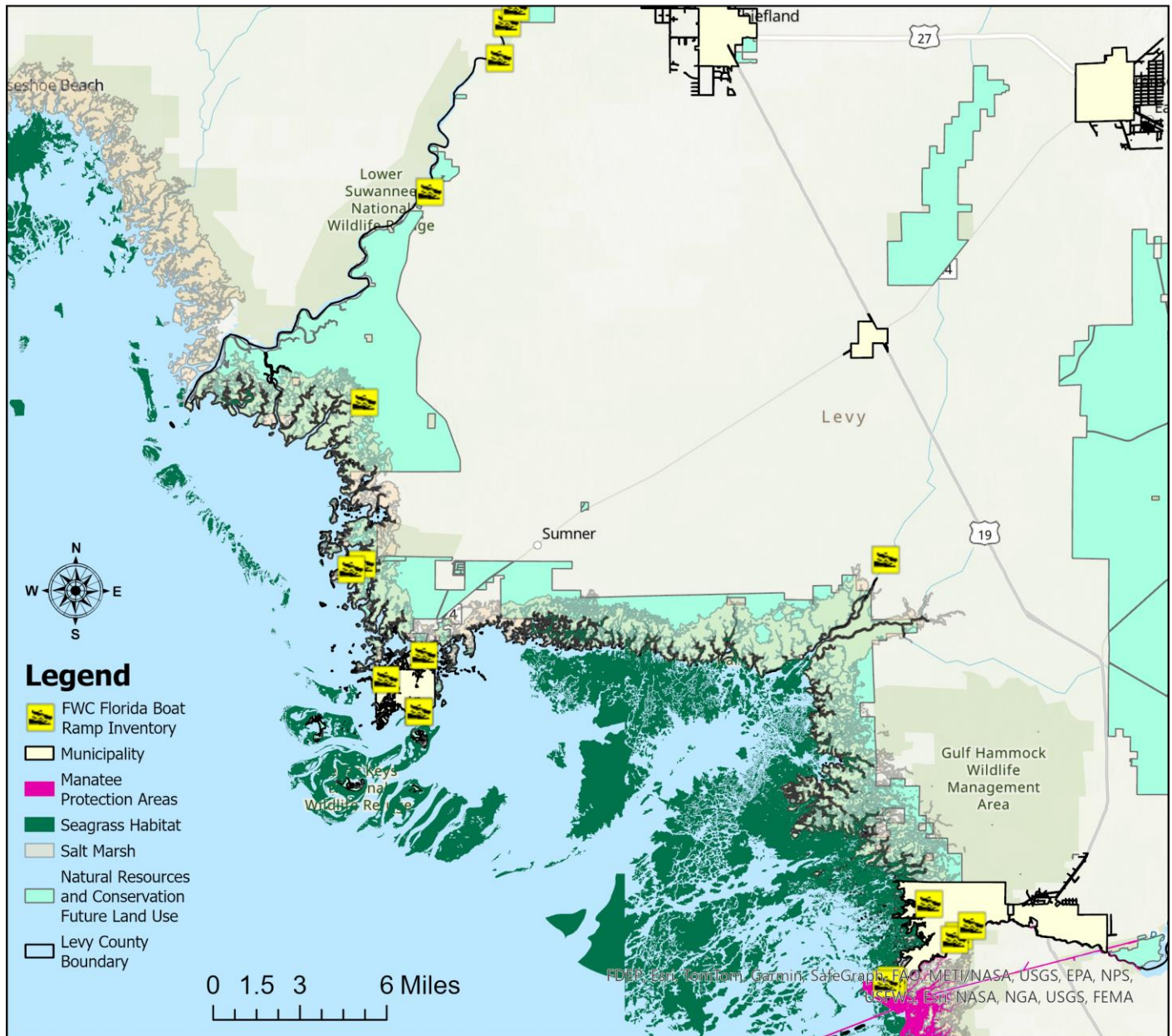
Sincerely,

Desiree Mills
Chair, Levy County Board of County Commissioners

cc: Scott Rogers, Regional Planning Administrator, FloridaCommerce
Scott Koons, Director, North Central Regional Planning Council (electronic)
Wilbur Dean, Levy County Coordinator (electronic)
Levy County Board of County Commissioners, Desiree Mills, District 3, Chair (electronic)

attachments: Levy County Coastal Management Element: Shoreline Land Use Map

Levy County Coastal Management Element Shoreline Land Use Map



Explanation:

This map shows the shoreline area of Levy County. The shoreline has a predominate zoning and future land use of Natural Reservation and Conservation, as seen in turquoise.

The shoreline areas of unincorporated Levy County have salt marsh, seagrass, and manatee protection areas designated by the Florida Fish and Wildlife Conservation Commission, as seen on the map.

Due to the environmentally sensitive nature of these lands, we believe that marinas are best suited to our municipalities where we have a greater population, development has already occurred, and services are available.

Existing boat ramps, in yellow, show community access to water resources.